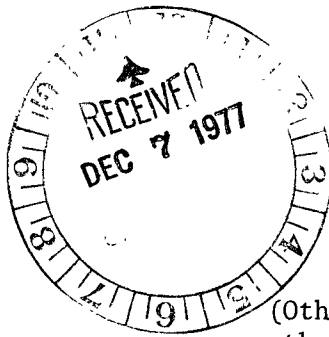


MINING APPLICATION  
NO. \_\_\_\_\_

Date \_\_\_\_\_



STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1588 West North Temple  
Salt Lake City, Utah 84116

MINING AND RECLAMATION PLAN

(Other forms may be used in lieu of MR 2, provided  
they contain the same information)

1. Name of Applicant or Company Ziegler Chemical & Mineral Corp.
2. Proposed type of operation underground mine
3. (a) Prior Land Use(s) None  
(b) Current Land Use(s) None  
(c) Possible or Prospective Future Land Use(s) None
4. What vegetation exists on the land proposed to be affected Sagebush  
  
(a) Types and Estimated Percent cover or density: spare
5. What is the range pH of soil before mining? N/A pH  
Name of Person or Agency and method of determining pH \_\_\_\_\_
6. Site elevation above sea level 6100±
7. In case of coal, oil shale, and bituminous sandstone:  
Principal seam(s) and thickness(es) N/A
8. Estimated duration of mining operations 10 years
9. Has overburden, waste or rejected materials been classified as acid or  
alkali producing? (☒) Yes (☐) No  
Does the above material being moved have any other characteristics  
affecting revegetation? No
10. Will any underground workings or aquifers be encountered? (☐) Yes (☒) No  
Describe \_\_\_\_\_  
Is there an active discharge of water from abandoned deep mines on or  
crossing the land affected? (☐) Yes (☒) No If yes, describe  
the quality of water being discharged. \_\_\_\_\_

- 11 (a) See attached mining plan.
- (b) Procedure for constructing and maintaining access roads:  
(cross sections and profiles of road grade is enclosed)  
Old existing road will be re-dozed and bar ditches will be made.
- (c) Procedure for site preparation:  
There are no trees on the site. Sage brush will be removed.
- (d) Method for removing topsoil:  
Topsoil will be removed by bulldozer and will be stockpiled on side of site.
- (e) All disturbed topsoil will be replaced after mining operations are completed by replacement onto disturbed site. Topsoil will be machine packed.
- (f) Final stabilization of disturbed materials will be made by re-grading and re-seeding (see below)

GRADING & REGRADING:

- (a) Typical cross section of re-grading:  
(enclosed)
- (b) Method of spreading topsoil:  
A bulldozer will be used to spread the stockpiled topsoil. The approximate thickness of the topsoil will be 1.0'. The original contours will be restored as nearly as possible.
- (c) What type of soil treatment will be provided:  
Prior to commencement of excavation and grading, soil tests will be ran on the topsoil by Utah State University testing station to determine pH, fertility rate, etc. Plan to follow U.S.U.'s recommendations with reference to treatment.
- (d) Method of drainage control for entire area:  
Natural drainage will be re-established by hand ditching or dozing.
- (e) Maximum grading slope will be 2 % or less.

TESTING:

1. Describe method of testing stability of reclamation of fill material:

Yardage of topsoil to be removed prior to mining operation is calculated as follows:

- (a) Living Area, tippie, bath house area and stockpile area: total acreage: 5 acres.

$$(43,560)(3) = 130,680 \text{ sq. ft.}$$

$$\text{depth of exceration, avg.} = 1.0 \text{ ft.}$$

$$\text{Total excerated topsoil} = 130,680 \text{ sq. ft.}$$

$$= 4,840 \text{ sq. yds.}$$

- (b) Mining Area: 1 acre = 1613 sq. yds.

- (c) Haulage Roads: 1 acre = 1613 sq. yds.

Topsoil will be emplaced with dozer and compacted.

2. Describe any soil treatment to be employed:

Recommendations fo soil tests run by U.S.U. will be followed.

3. Describe surface preparation:

Area will be re-graded and mulched. Seed bed preparation will consist of utilizing U.S.U.'s recommendation on seeding. Fertilizers will be applied if necessary to obtain proper soil conditions.

11. Describe specifically a detailed procedure for: See attached p.2

- (a) The mining sequence
- (b) The procedure for constructing and maintaining access roads, to include a typical cross-section and a profile of the proposed road grades.
- (c) The procedure for site preparation including removing trees and brush.
- (d) The method for removing and stockpiling topsoil or disturbed materials.
- (e) The method for the placement or containment of all disturbed materials, to include the method for handling of all acid or alkali-producing and toxic material.
- (f) A procedure for final stabilization of disturbed materials.

#### GRADING AND REGRADING

Specifically describe: See attached p.2.

- (a) Typical cross-section of regrading.
- (b) The method of spreading topsoil or upper horizon material on the regraded area and indicate the approximate thickness of the final surfacing material.
- (c) What type of soil treatment will be utilized.
- (d) The method of drainage control for the final regraded area.
- (e) Maximum grading slope.

#### TESTING

1. Describe method for testing stability of reclamation fill material.

~~See attached p.2.~~

Describe method for the testing of soil that is intended to support vegetation

~~See attached p.2.~~

2. Describe any soil treatment employed as an aid to revegetation

~~See attached p.2.~~

3. Describe surface preparation of areas intended to support vegetation:

~~See attached p.2.~~

#### REVEGETATION

1. Revegetation to be completed by:

- |                                |  |
|--------------------------------|--|
| (X) Operator                   | ( ) Hydroseeding                       |
| ( ) Soil Conservation District | ( ) Aerial Seeding                     |
| ( ) Private Contractor         | ( ) Conventional or Rangeland Drilling |
| Name _____                     | ( ) Other (specify) _____              |
| ( ) Other (specify) _____      |  |

2. Will Mulch be used?

Type NO Rate/Acre \_\_\_\_\_ lbs.



3. Revegetation Plan and Schedule - Will be based on Utah State University  
Soil Testing Laboratories recommendation, to follow shortly.

| Species | Rate/<br>Acre | Planting<br>Location | Facing<br>N-S-E-W | Season<br>to be replanted |
|---------|---------------|----------------------|-------------------|---------------------------|
|         |               |                      |                   |                           |
|         |               |                      |                   |                           |
| S E E   | A B O V E     | N O T E              |                   |                           |
|         |               |                      |                   |                           |
|         |               |                      |                   |                           |

4. Will affected area be subject to livestock or wildlife grazing? ( ) Yes  
(X) No Will vegetation protection be needed? No

5. Will irrigation be used? ( ) Yes (X) No Type \_\_\_\_\_

6. Describe maintenance procedures for revegetation if needed, until surety  
release is granted. Monthly field inspection.

I, the undersigned Operator, hereby submit this to be my  
Reclamation and Mining Plan for the area shown on the attached map. I  
further understand that the operation will be conducted in accordance  
with the Mined Land Reclamation Act of 1975, and all rules and regulations  
currently in effect thereunder.

Signed X John M. Godina Sr. Operator Date 11/30/77  
Ziegler Chemical & Mineral Corp., By: John M. Godina, Sr.  
Taken, subscribed and sworn to before me the undersigned authority  
in my said county, this 30<sup>th</sup> day of November, 19 77.

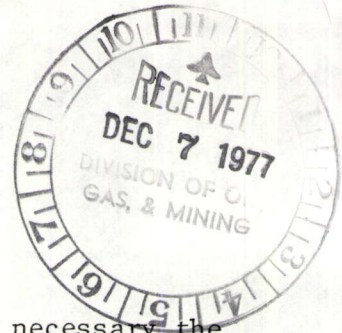
Notary Public Brian Lynch

My Commission Expires: 3/30/78

BRIAN LYNCH  
NOTARY PUBLIC, State of New York  
No. 30-4613944  
Qualified in Nassau County  
Commission Expires March 30, 19 78



ZIEGLER CHEMICAL CO.



1. PLANNED ACCESS ROAD.

In order to facilitate the anticipated traffic flow necessary the following standards will be met.

This proposed access road will be an 18' crown road (9' either side of the centerline) with drain ditches along either side of the proposed road where it is determined necessary in order to handle any run-off from any normal meteorological conditions that are prevalent to this area

Back slopes along the cut areas of the road will be 1 1/2 to 1 slopes and terraced.

The road will be centerline flagged prior to the commencement of construction.

The grade of this road will vary from flat to 8%, but will not exceed this amount. This road will be constructed from native borrow accumulated during construction.

If deemed necessary by the local governmental agencies or their representatives, turnouts will be installed for safety purposes every 0.25 miles or on top of ridges that will provide the greatest sight distance. These turnouts will be 200' in length and 12' in width and will be tapered from the shoulder of the road for a distance of 50' in length at both the access end and the outlet end.

The terrain that is traversed by the proposed road is up the bottom of a small canyon, and is vegetated by sagebrush and grasses.

# HIKO BELL MINING & OIL COMPANY

POST OFFICE BOX DRAWER AB \* VERNAL, UTAH 84078 \* TELEPHONE 789-3233 AREA CODE (801)

November 11, 1977

Atlantic Richfield Company (Atlantic Oil Corp.)  
1860 Lincoln, Suite 501  
Denver, Colorado, 80295

ATTN: Legal Department

RE: State Of Utah Oil Shale  
Lease ML-13658, dtd 11-5-57  
Uintah County, Utah, Sec. 32,  
T11S-R25E, SLM.

Gentlemen:

Ziegler Chemical & Mineral Corp, P.O. Box 455, Great Neck,  
New York, 11021, proposes to mine gilsonite on a part of the lands  
covering the above described oil shale lease. A copy of the mining  
plan is enclosed for your information.

Very truly yours,

  
Robert E. Covington, CPG #1705

REC:mc

Encls.

cc: John M. Godina, Sr. - Pres.  
Ziegler Chemical & Mineral Corp.  
P.O. Box 455  
Great Neck, N.Y. 11021

State of Utah, Dept. of Natural Resources  
Div. of Oil, Gas & Mining  
1588 West North Temple  
Salt Lake City, Utah 84116



# HUKO BELL MINING & OIL COMPANY

POST OFFICE BOX DRAWER AB \* VERNAL, UTAH 84078 \* TELEPHONE 789-3233 AREA CODE (801)

November 11, 1977

Texaco, Inc.  
P.O. Box 2100  
Denver, Colorado, 80201

ATTN: Legal Department

RE: State of Utah Oil & Gas Lease  
ML-27948, T11S-R25E, Sec. 32  
Uintah County, Utah

Gentlemen:

Ziegler Chemical & Mineral Corp., P.O. Box 455, Great Neck,  
New York, 11021, proposes to mine gilsonite on a part of the lands  
covering the above described oil & gas lease. A copy of the mining  
plan is enclosed for your information.

Very truly yours,

  
Robert E. Covington, CPG #1705

REC:mc

Encls.

cc: John M. Godina, Sr. - Pres.  
Zielger Chemical & Mineral Corp.  
P.O. Box 455  
Great Neck, N.Y. 11021

State of Utah, Dept. of Natural Resources  
Div. of Oil, Gas & Mining  
1588 West North Temple  
Salt Lake City, Utah 84116

MINING PLAN  
FOR  
ZIEGLER CHEMICAL & MINERAL CORP.  
GILSONITE MINES  
SECTION 32, T11S-R25E,  
UINTAH COUNTY, UTAH



BY  
Robert E. Covington  
Certified Professional Geologist No. 1705



MINING PLAN  
FOR  
ZIEGLER CHEMICAL & MINERAL CORP.  
GILSONITE MINES  
SECTION 32, T11S-R25E,  
UINTAH COUNTY, UTAH

GENERAL MINING OPERATIONS PROPOSAL:

The name of the mine is to be Ziegler State #1. The person representing the company in this matter is John M. Godina, Sr., President. The name and address of the company is Ziegler Chemical & Mineral Corporation, P.O. Box 455, Great Neck, New York, 11021.

Ziegler Chemical & Mineral Corp. has fulfilled the obligations under the Mined Land Reclamation Act of 1975 (Section 40, U.C.A., 1933, as amended), and will employ the following mining and reclamation plan on approximately 160 acres of State of Utah gilsonite leases, as follows:

Ziegler Chemical & Mineral Corp. proposes to mine gilsonite on Utah State leases along an estimated 6600' of vein in Section 32 of T11S-R25E. It is estimated that 5 shafts will be needed to complete the operation. The first shaft will be located in SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  and subsequent shafts will be sunk along the vein at intervals of 1200 $\pm$ . These shafts will be of the 3 compartment type sunk along the width of vein, 16' in length. Mining methods will utilize a 75 H.P. airlift and chipping hammers, using conventional hoist and tipple.

Traffic movement to and from the leases will be by an old existing road leaving Utah Hwy 45 and going approximately 6400 across Sections 28 & 33 of T11S-R25E. This road will be maintained by Ziegler. Road width is to be 14'. (16')

The mining operation will consist of (2) 3 man crews (2 underground, 1 surface hoist) in 3 shifts. It is estimated that the operation will produce 50 tons of gilsonite per day. The ore will be transported at the rate of 3 trips per day, 16 tons to the load, from the mining site to Little Bonanza. These loads will be fully covered by a tarp. Most of the ore will be hauled as mining takes place. However, a stockpile area will be needed to stock a pile of gilsonite 200'X200'X8' or 100 tons maximum. All waste rock will be left in mine and dust from actual mining operation will be minimal.

#### FACILITY ARRANGEMENT:

The campsite will consist of 3 trailers plus a bath house, an electric generator, a septic tank and sewage drain field. The culinary water tank will be a 5000 gallon tank and will be buried to a depth of 6'. The water lines to all facilities will also be buried.

Ziegler agrees to build and operate facilities which will provide a suitable degree of waste treatment to guarantee acceptable final disposal conditions, with full consideration of all wastes produced and including complications involved in reasonable projections into the future. All culinary water will be hauled to the facility.

All trash will be deposited in covered 55 gallon drums and will be transported to the dump at Bonanza for final disposal.

It is estimated that a total of 7 acres will be needed to facilitate the full operation.

Equipment that will be at the site will include 1 dozer (for road maintenance), 1 skid mounted hoist house, 1 frontend loader ( $1\frac{1}{2}$  yd.), 1 dump truck, 1 compressor - 100 H.P., 1 hoist, 75 h.p. airlift, 2 generators (1 camp & 1 mining), 3 trailers, 1 bath house and change room.



DURING OPERATIONS:

- (1) Mining will be conducted in a safe and orderly manner.
- (2) Ore and waste will be placed in designated areas.

AFTER OPERATIONS:

- (1) All (usable) <sup>← should be deleted Rmp</sup> buildings, machinery and debris will be removed from the surface.
- (2) All shafts and mine vents will be sealed so as to prevent unauthorized entry.
- (3) Waste pads and dumps will be regraded to rounded cross sections.
- (4) Where possible, soil material will be placed over the building sites, roads and storage areas after regrading.
- (5) All disturbed areas will be scarified and fertilized prior to reseeding with an approved seed mixture. An environmental impact matrix accompanies this application.

Ziegler Chemical & Mineral Corp.

By:

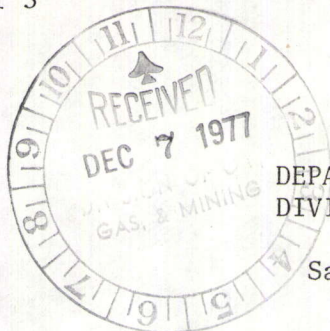
John M. Godina, SR., President

sworn before me on Nov. 30, 1977

BRIAN LYNCH  
NOTARY PUBLIC, State of New York  
No. 30-4613944  
Qualified in Nassau County  
Commission Expires March 30, 1978

Brian Lynch





MINING APPLICATION  
NO. NOT/047/008  
Date Dec. 9, 1977

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1588 West North Temple  
Salt Lake City, Utah 84116

NOTICE OF INTENTION TO COMMENCE MINING OPERATIONS  
(See Rule M of General Rules and Regulations)

1. Name of Applicant or Company Ziegler Chemical & Mineral Corp.  
Corporation (X) Partnership ( ) Individual ( )
2. Address P.O. Box 455, Great Neck, N.Y. 11021  
X Permanent Temporary
3. Name and title of person representing company Frank Godina
4. Address Little Bonanza, Utah Office Phone 789-3593 (801)
5. Location of Operation Uintah Sec. 32 T. 11S R. 25E  
County
6. Name of Mine Ute - 32
7. Mineral to be mined:  

|                           |                          |   |
|---------------------------|--------------------------|---|
| ( ) Coal                  | ( ) Flagstone            | Mining method:<br><u>Underground mining using</u><br><u>airlift (75 H.P.) with chipping</u><br><u>hammers (sink shaft width of vein</u><br><u>and 16' in length, 3 comp. shaft)</u> |
| ( ) Copper                | ( ) Gravel               |   |
| ( ) Manganese             | ( ) Shale                |   |
| ( ) Iron Ore              | ( ) Uranium              |   |
| ( ) Phosphate             | (X) Gilsonite            |   |
| ( ) Potash                | ( ) Bituminous Sandstone |   |
| ( ) Fluorspar             | ( ) Tungsten             |   |
| ( ) Other (specify) _____ |                          |   |
8. Have you or any person, partnership or corporation associated with you received an approved Notice of Intention to Commence Mining Operations by the State of Utah for operations other than described herein?  
( ) Yes (X) No  
If yes, list all approval numbers now under surety:  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Owner/Owners of record of the surface area within the land to be affected:  

|                      |                                     |
|----------------------|-------------------------------------|
| <u>State of Utah</u> | Address <u>Salt Lake City, Utah</u> |
| _____                | Address _____                       |
| _____                | Address _____                       |
| _____                | Address _____                       |



10. Owner/Owners of record of minerals to be mined:

|                      |                                     |
|----------------------|-------------------------------------|
| <u>State of Utah</u> | Address <u>Salt Lake City, Utah</u> |
| _____                | Address _____                       |
| _____                | Address _____                       |
| _____                | Address _____                       |

11. Owner/Owners of record of all other minerals within any part of the land affected:

|   |  |
|---|--|
| <u>Atlantic Richfield (oil shale lease)</u> | Address <u>1860 Lincoln, Denver, Colo.</u>           |
| <u>Texaco, Inc. (oil &amp; gas lease)</u>   | Address <u>P.O. Box 2100</u><br><u>Denver, Colo.</u> |
| _____                                       | Address _____  |

- 11a. Have the above owners been notified in writing?  
(X) Yes ( ) No

12. Source of Operator's legal right to enter and conduct operations on land to be covered by the Notice State of Utah Gilsonite mining leases Nos.

ML-34863, ML-29216 & ML-30645

13. Approximate acreage to be disturbed: 5 acres

Mining Operation Area: 5 acres +  
(include operations, storage, & disposal area)

Access Road or Haulageway: 3.0 acres +

Drainage System: -0- acres =

Total Acres: 13 Acres

14. Give the names and post office addresses of every principal Executive, Officer Partner, (or person performing a similar function) of Applicant:

| Name:                         | Title:           | Address:                              |
|-------------------------------|------------------|---------------------------------------|
| a. <u>John M. Godina, Sr.</u> | <u>President</u> | <u>P.O. Box 455, Great Neck, N.Y.</u> |
| b. _____                      | _____            | _____                                 |
| c. _____                      | _____            | _____                                 |
| d. _____                      | _____            | _____                                 |

15. Has Applicant, any subsidiary or affiliate or any person, partnership, association, trust, or corporation controlled by or under common control with Applicant, or any person required to be identified by Item 14, ever had an approval of a Notice of Intention withdrawn or has surety relating thereto ever been forfeited? ( ) Yes (X) No

If yes; explain:



STATE OF UTAH  
COUNTY OF UINTAH

I, Robert E. Covington, having been duly sworn  
depose and attest that all of the representations contained in the foregoing  
application are true to the best of my knowledge; that I am authorized to  
complete and file this application on behalf of the Applicant and this  
application has been executed as required by law.

Signed: Robert E. Covington  
Robert E. Covington, CPG #1705

Taken, subscribed and sworn to before me the undersigned authority  
in my said county, this 22 day of November, 1977.

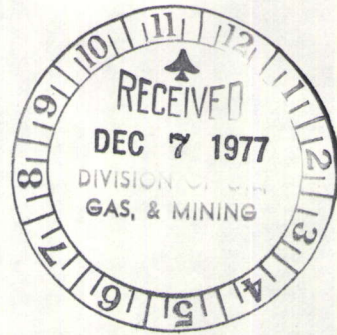
Notary Public Kathleen W. Gray

My Commission Expires: 10-3-81



0572

State of New York }  
Department of State } ss:



**I Hereby Certify,** *That I have made diligent examination of the*

*index of corporation papers filed in this Department for a certificate, order or record of a dissolution of*

**ZIEGLER CHEMICAL & MINERAL CORP.**

*the certificate of incorporation of which corporation was filed February 21, 1962,*

*fixing the duration as perpetual,*

*and that upon such examination, I find no such certificate, order or record, and that so far as indicated by the records of this department, such corporation is a subsisting corporation.*

**Witness**

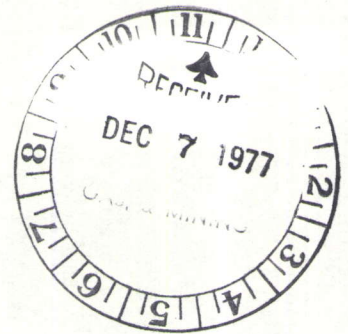
*my hand and the official seal of the  
Department of State at the City of  
Albany, this twenty-second day  
of November one thousand  
nine hundred and seventy-seven.*

*Paul Milione*  
Secretary of State



ZIEGLER CHEMICAL & MINERAL CORP.  
ACTION OF THE BOARD OF DIRECTORS IN LIEU  
OF MEETING

\* \* \* \* \*



The undersigned, being all of the directors of ZIEGLER CHEMICAL & MINERAL CORP., hereby take the following action by means of this written instrument as permitted by the laws of the State of New York and the By-Laws of the Corporation.

The following resolution is hereby adopted:

RESOLVED, that the officers of the Corporation be and hereby are authorized to file an application for right of way from the United States Department of the Interior, Bureau of Land Management, in the form annexed hereto or in such other form as the officer executing the same shall approve.

IN WITNESS WHEREOF, the undersigned have signed this instrument as of this 30th day of November, 1977.

G. S. Biedler      H. J. Singer  
John M. Hodman      Robert H. Treutler

HIKO BELL MINING & OIL COMPANY *Ziegler file*

POST OFFICE BOX DRAWER AB \* VERNAL, UTAH 84078 \* TELEPHONE 789-3233 AREA CODE (801)

November 15, 1977

Soil Testing Laboratory  
Utah State University  
UNC 48  
Logan, Utah 84322



ATTN: Ruel Lamborn


RE: Soil Sample in SE $\frac{1}{4}$ SE $\frac{1}{4}$   
Sec. 32, T11S-R25E,  
Uintah County, Utah for  
Zielger Chem. & Mineral Corp.

Dear Mr. Lamborn:

Enclosed please find our check for \$4.00 for a soil analysis, including pH, Ec, fertility and your recommendation with regard to reseeding. This information will be use to accompany the Ziegler Mining & Reclamation Plan.

We would appreciate receiving this information at your earliest convenience, since we have about a dozen miners waiting to go to work on the gilsonite mine.

Very truly yours,

*Robert E. Covington* 

Robert E. Covington, CPG #1705

REC:mc

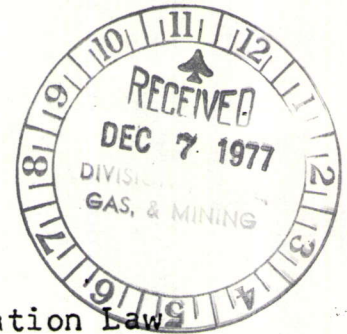
cc: Ziegler Chemical & Mineral Corp.  
John M. Godina, Sr. - Pres.



CERTIFICATE OF INCORPORATION

of

ZIEGLER CHEMICAL & MINERAL CORP.



Pursuant to Article Two of the Stock Corporation Law

-----

WE, THE UNDERSIGNED, desiring to form a stock corporation pursuant to the provisions of Article Two of the Stock Corporation Law of the State of New York, DO HEREBY CERTIFY as follows:

First: The name of the corporation is  
ZIEGLER CHEMICAL & MINERAL CORP.

Second: The purposes for which it is to be formed are to do any and all of the things hereinafter set forth to the same extent as natural persons might or could do in any part of the world, namely:

To purchase or otherwise acquire, manufacture, sell and otherwise dispose of chemicals and drugs of every kind, nature and description.

313366

To acquire by purchase or otherwise, hold, own, develop, improve, sell, convey, exchange, mortgage, lease and otherwise deal or trade in and dispose of real property and any estate, interest or right therein; to lend money or bonds secured by mortgage of real or personal property or otherwise; to erect, construct, alter, maintain and improve houses and buildings of every description on any lands of the corporation or upon any other lands, and to rebuild, alter and improve existing houses and buildings thereon, to the extent now or hereafter permitted by the law.

To purchase, exchange, hire, or otherwise acquire such personal property, chattels, rights, easements, permits, privileges and franchises as may lawfully be purchased, exchanged, hired or acquired under the Stock Corporation Law of the State of New York.

To borrow money for its corporate purposes, and to make, accept, endorse, execute and issue promissory notes



bills of exchange, bonds, debentures or other obligations from time to time, for the purchase of property or for any purpose in or about the business of the company, and, if deemed proper to secure the payments of any such obligations by mortgage, pledge, deed of trust or otherwise.

To lend money or make advances, with or without collateral security, and upon the security of mortgages, leases on real and/or personal property located in or out of the State of New York and for the financing of building operations and the improvement of real property located in or out of the State of New York, but only to the extent permitted the corporations organized under the Stock Corporation Law.

To underwrite, purchase, acquire, hold, pledge, hypothecate, exchange, sell, deal in and dispose of, alone or in syndicates or otherwise in conjunction with others, stocks, bonds and other evidences of indebtedness and obligations of any corporation, association, partnership, syndicate, entity, person or governmental, municipal or public authority, domestic or foreign, and evidences of any interest, in respect of any such stocks, bonds and other evidences of indebtedness and obligations; to issue in exchange therefor its own stocks, bonds or other obligations; and, while the owner or holder of any such, to exercise all the rights, powers and privileges of ownership in respect thereof; and, to the extent now or hereafter permitted by law, to aid by loan, subsidy, guaranty or otherwise those issuing, creating or responsible for any such stocks, bonds or other evidences of indebtedness or obligations or evidences of any interest in respect thereof.

To purchase, hold, sell, transfer, reissue or cancel the shares of its own capital stock or any securities or other obligations of the corporation in the manner and to the extent now or hereinafter permitted to corporations organized under the laws of the State of New York; provided, that the corporation shall not use its funds or other assets for the purchase of its own shares of stock when such use would cause any impairment of the capital of the corporation, and provided further, that shares of its own capital stock belonging to the corporation shall not be voted upon directly or indirectly.

To apply for, purchase, register or in any manner to acquire, and to hold, own, use, operate and introduce, and to sell, lease, assign, pledge, or in any manner deal with patents, patent rights, licenses, copyrights, trademarks, trade names, and to acquire, own, use or in any manner dispose of any and all inventions, improvements and



processes, labels, designs, brands, or other rights, and to work, operate, or develop the same, and to carry on any similar business, manufacturing or otherwise, which may directly or indirectly effectuate these objects or any of them.

To acquire and to take over as a going concern and thereafter to carry on the business of any person, firm or corporation engaged in any business which this corporation is authorized to carry on, and in connection therewith, to acquire the good will and all or any of the assets and to assume or otherwise provide for all or any of the liabilities of any such business.

To carry on business at any place or places within the jurisdiction of the United States, and in any and all foreign countries, and to purchase, hold, mortgage, convey, lease or otherwise dispose of and deal with real and personal property at any such place or places.

To undertake, contract for or carry on any business incidental to or in aid of, or advantageous in pursuance of, any of the objects or purposes of the corporation.

To do any of the things hereinbefore enumerated for itself or for account of others and to make and perform contracts for doing any part thereof.

To enter into, make, perform and carry out contracts of every sort and kind which may be necessary or convenient for the business of this company, or business of a similar nature, with any person, corporation, private, public or municipal, body politic under the government of the United States or any state, territory or colony thereof, or in any foreign government, so far as and to the extent that the same may be done and performed by corporations organized under Article Two of the Stock Corporation Law.

To do all and everything necessary, suitable or proper for the accomplishment of any of the purposes, the attainment of any of the objects or the furtherance of any of the powers hereinbefore set forth, either alone or in connection with other corporations, firms or individuals and either as principals, or agents, and to do every other act or acts, thing or things incidental or appurtenant to or growing out of or connected with the aforesaid objects, purposes or powers or any of them.

The foregoing enumeration of specific powers shall not be deemed to limit or restrict in any manner the



general powers of the corporation, and the enjoyment and exercise thereof, as conferred by the laws of the State of New York upon corporations organized under the provisions of the Stock Corporation Law.

Third: The amount of the capital stock is to be Fifty Thousand Dollars (\$50,000).

Fourth: The capital stock is to consist of Fifty Thousand (50,000) shares of the par value of One Dollar (\$1.00) each, all of which are to be of the same class.

Fifth: The office of the corporation is to be located in the Village of Great Neck Plaza, County of Nassau, State of New York and the address to which the Secretary of State shall mail a copy of process in any action or proceeding against the corporation, which may be served upon him is 170 Great Neck Road, Great Neck, Long Island, New York.

Sixth: The duration of the corporation is to be perpetual.

Seventh: The number of Directors shall be not less than three (3) nor more than ten (10). Directors need not be stockholders.

Eighth: The names and post office addresses of the Directors until the first annual meeting of the stockholders are as follows:

| <u>Names</u>      | <u>Post Office Addresses</u>                          |
|-------------------|---|
| Gordon S. Ziegler | 170 Great Neck Road<br>Great Neck, Long Island, N. Y. |
| John M. Godina    | 170 Great Neck Road<br>Great Neck, Long Island, N.Y.  |
| Donald C. Nelson  | 170 Great Neck Road<br>Great Neck, Long Island, N. Y. |

Ninth: The names and post office addresses of each subscriber to this Certificate and the number of shares of stock which each agrees to take are as follows:

| <u>Names</u>      | <u>Post Office Address</u>            | <u>No. of Shares<br/>Common</u> |
|-------------------|---------------------------------------|---------------------------------|
| Eugene T. McQuade | 116 John Street<br>New York 38, N. Y. | 500                             |
| Gerald T. DiManno | 116 John Street<br>New York 38, N. Y. | 250                             |
| S. Sondak         | 116 John Street<br>New York 38, N. Y. | 250                             |

Tenth: All of the subscribers of this Certificate of Incorporation are of full age, at least two-thirds of them are citizens of the United States of America, and at least one of them is a resident of the State of New York, and at least one of the persons named as a director is a citizen of the United States of America and a resident of the State of New York.

Eleventh: The Secretary of State is hereby designated as the agent of the corporation upon whom process in any action or proceeding against it may be served.

Twelfth: The following provisions are inserted for the regulation and conduct of the affairs of the corporation, and it is expressly provided that they are intended to be in furtherance and not in limitation or exclusion of the powers conferred by statute:

No contract or other transaction between the corporation and any other firm or corporation shall be affected or invalidated by reason of the fact that any one or more of the directors or officers of this corporation is or are interested in, or is a



member, stockholder, director, or officer, or are members, stockholders, directors or officers of such other firm or corporation; and any director or officer, or officers, individually or jointly, may be a party or parties to, or may be interested in, any contract or transaction of this corporation or in which this corporation is interested, and no contract, act or transaction of this corporation with any person or persons, firm, association or corporation, shall be affected or invalidated by reason of the fact that any director or directors or officer or officers of this corporation is a party or are parties to, or interested in, such contract, act or transaction, or in any way connected with such person or persons, firm, association or corporation, and each and every person who may become a director or officer of this corporation is hereby relieved from any liability that might otherwise exist from thus contracting with this corporation for the benefit of himself or any firm, association or corporation in which he may be in anywise interested.

The Board of Directors shall have power, in its discretion, to provide for and to pay to directors rendering unusual or exceptional services to the corporation special compensation appropriate to the value of such services.

Any person made a party to any action, suit or proceeding by reason of the fact that he, his testator or intestate, is or was a director, officer or employee of this corporation or of any corporation which he serves as such at the request of this corporation, shall be indemnified by this corporation against the reasonable expenses, including attorney's fees, actually and necessarily incurred by him in connection with the defense of such action, suit or proceeding, or in connection with any appeal therein, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such officer, director or employee is liable for negligence or misconduct in the performance of his duties. Such right of indemnification shall not be deemed exclusive of any other rights to which such director, officer or employee may be entitled apart from statute.

The corporation may use and apply its surplus earnings or accumulated profits, not otherwise by law to be reserved, to the purchase or acquisition of property and to the purchase or acquisition of its own capital stock from time to time and to such extent and in such manner and upon such terms as its Board of Directors shall deter-

State of New York  
DEPARTMENT OF STATE } ss.:

1486

I CERTIFY That I have compared the preceding copy with the original  
Certificate of Incorporation of

ZIEGLER CHEMICAL & MINERAL CORP.,

filed in this department on the 21st day of February , 1 962 , and that such  
copy is a correct transcript therefrom and of the whole of such original.

Witness my hand and the official seal of the Department of State at the  
City of Albany, this twenty-first day  
of February, one thousand nine hundred  
sixty-two.

Caroline K. Simon  
Secretary of State

By John J. Fromer  
Deputy Secretary of State



mine; and neither the property nor the capital stock so purchased or acquired, nor any of its own capital stock taken in payment or satisfaction of any debt due to the corporation, shall be regarded as profits for the purpose of declaration or payment of dividends, unless otherwise determined by a majority of the Board of Directors.

IN WITNESS WHEREOF, we have made, signed and acknowledged this Certificate of Incorporation in duplicate this 20<sup>th</sup> day of February, 1962.

Eugene T. McQuade L.S.  
Eugene T. McQuade

Gerald T. DiManno L.S.  
Gerald T. DiManno

S. Sondak L.S.  
S. Sondak

STATE OF NEW YORK }  
COUNTY OF NEW YORK } ss.:

On this 20<sup>th</sup> day of February, 1962 before me personally came EUGENE T. McQUADE, GERALD T. DiMANNO and S. SONDAK to me known and known to me to be the individuals described in and who executed the foregoing Certificate and they severally duly acknowledged to me that they executed the same.

James A. Kelly Jr.  
Notary Public  
JAMES A. KELLY, JR.  
Notary Public, State of New York  
No. 30-7216550  
Qualified in Nassau County  
Cert. Filled in N. Y. County  
Commission Expires March 30, 1962

State of New York }  
Department of State } ss.:

36049

*I hereby certify that I have compared the annexed copy with the original document filed by the Department of State  
and that the same is a correct transcript of said original.*

WITNESS my hand and seal of the Department of State on

NOV 9 1972

*John P. Lorenzo*  
Secretary of State



CERTIFICATE OF AMENDMENT  
of the  
CERTIFICATE OF INCORPORATION  
of  
ZIEGLER CHEMICAL & MINERAL CORP.

Under Section 805 of the Business Corporation Law

----oOo----

The undersigned, being the President and Secretary of Ziegler Chemical & Mineral Corp., hereby certify that:

FIRST: The name of the corporation is ZIEGLER CHEMICAL & MINERAL CORP.

SECOND: The Certificate of Incorporation of the corporation was filed by the Department of State on February 21, 1962.

112568

THIRD: Articles "Third" and "Fourth" of the Certificate of Incorporation, dealing with the capital stock of the corporation, are hereby amended to increase the capital stock of the corporation from Fifty Thousand Dollars (\$50,000), consisting of Fifty Thousand (50,000) shares of the par value of One Dollar (\$1.00) each, all of the same class, to One Hundred Thousand Dollars (\$100,000) consisting of One Hundred Thousand (100,000) shares of the par value of One Dollar (\$1.00) each, all of the same class. To effect such amendment, said Articles "Third" and "Fourth" are hereby amended to read respectively as follows:

"Third: The amount of the capital stock is to be One Hundred Thousand Dollars (\$100,000).



"Fourth: The capital stock is to consist of One Hundred Thousand (100,000) shares of the par value of One Dollar (\$1.00) each, all of which are to be of the same class."

FOURTH: In order to take advantage of the indemnification provisions contained in Article 7 of the Business Corporation Law as now in effect and as amended from time to time hereafter, Article "Twelfth" of the Certificate of Incorporation is hereby amended by deleting therefrom the following:

"Any person made a party to any action, suit or proceeding by reason of the fact that he, his testator or intestate, is or was a director, officer or employee of this corporation or of any corporation which he serves as such at the request of this corporation, shall be indemnified by this corporation against the reasonable expenses, including attorney's fees, actually and necessarily incurred by him in connection with the defense of such action, suit or proceeding, or in connection with any appeal therein, except in relation to matters as to which it shall be adjudged in such action, suit or proceeding that such officer, director or employee is liable for negligence or misconduct in the performance of his duties. Such right of indemnification shall not be deemed exclusive of any other rights to which such director, officer or employee may be entitled apart from statute."

FIFTH: The foregoing amendments of the Certificate



of Incorporation were authorized by vote of the holders of a majority of all outstanding shares entitled to vote thereon at a special meeting of shareholders duly called and held for such purpose on the 27th day of December, 1963.

IN WITNESS WHEREOF, the undersigned have signed this Certificate this 27th day of December, 1963.

  
Gordon S. Ziegler, President

  
Gordon S. Ziegler, Jr., Secretary



STATE OF NEW YORK }

COUNTY OF NEW YORK }

SS.:

GORDON S. ZIEGLER, JR., being duly sworn, deposes and says, that he is the Secretary of ZIEGLER CHEMICAL & MINERAL CORP., the corporation named in the foregoing Certificate of Amendment; that he has read and signed the same; and that the statements contained therein are true.

*Gordon S. Ziegler, Jr.*  
Gordon S. Ziegler, Jr.

Sworn to before me this

27th day of December, 1963.

*Joseph F. Shea*  
Notary Public

JOSEPH F. SHEA  
Notary Public, State of New York  
No. 41-3622500 Queens County  
Cert. Filed in New York County  
Term Expires March 30, 1965





*Page*

*CS 2/21*

*11/10/61*

CERTIFICATE OF INCORPORATION

of

ZIEGLER CHEMICAL & MINERAL CORP.

Pursuant to Article Two of the Stock Corporation Law

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STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED FEB 21 1962

TAX \$ 25 -

FILING FEE \$ 50 -

313366

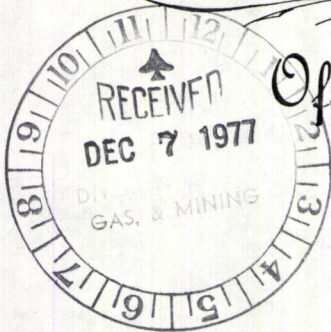
*Caroline R. Simon*

Secretary of State

By

*O'Beir*





Office of Secretary of State

Certificate of Authority  
of

~~~~~ZIEGLER CHEMICAL & MINERAL CORP.~~~~~

I, Lamont F. Toronto, as Secretary of State of Utah, hereby certify that duplicate originals of an Application of

~~~~~ZIEGLER CHEMICAL & MINERAL CORP.~~~~~

for a Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the Utah Business Corporation Act, have been received in this office and are found to conform to law.

Accordingly, the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Authority to

~~~~~ZIEGLER CHEMICAL & MINERAL CORP.~~~~~

to transact business in this State and attaches hereto a duplicate original of Application for such Certificate.



In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, Utah, this 11th day of April A.D. 19 62.

*Lamont F. Toronto*  
SECRETARY OF STATE

*Mendell L. Cottrell*  
DEPUTY



State of the State of Utah, on the  
April A.D. 1962

LINDA E. TORONTO  
Secretary of State

RECEIVED  
Filing Fee: \$20.00  
SECRETARY OF STATE

Filing Clerk EGJ Fees 45.00

File in Duplicate Originals

1962 APR 11 AM 10 25

APPLICATION FOR CERTIFICATE OF  
AUTHORITY OF

ZIEGLER CHEMICAL & MINERAL CORP.  
(EXACT CORPORATE NAME)

To the Secretary of State  
of the State of Utah:

Pursuant to the provisions of Section 16-10-106 of the Utah Business Corporation Act, the undersigned corporation hereby applies for a Certificate of Authority to transact business in your State, and for that purpose submits the following statement:

FIRST: The name of the corporation is ZIEGLER CHEMICAL & MINERAL CORP.

SECOND: It is incorporated under the laws of New York

THIRD: The date of its incorporation is February 21, 1962

and the period of its duration is perpetual.

FOURTH: The address of its principal office in the state or country under the laws of which it is incorporated is 170-80 Great Neck Road, Great Neck, Long Island, New York.

FIFTH: The address of its proposed registered office in your State is Ziegler Chemical & Mineral Corp., Star Route, Vernal, Utah

and the name of its proposed registered agent in your State at that address is

ARTHUR WILSON.

SIXTH: The purpose or purposes which it proposes to pursue in the transaction of business in Utah are mining and processing of Gilsonite.

SEVENTH: The names and respective addresses of its directors and officers are:

| Name                       | Office         | Address                                     |
|----------------------------|----------------|---------------------------------------------|
| Donald C. Nelson & V-Pres. | Director       | 523 4th St., Dunellen, New Jersey           |
| John M. Godina             | Director       | 158 Payne Whitney Lane, Manhasset, New York |
| Gordon S. Ziegler          | Director       | 275 Elderfields Road, Manhasset, New York   |
| Gordon S. Ziegler          | President      | " " " New York                              |
| John M. Godina             | Vice President | 158 Payne Whitney Lane, Manhasset, N.Y.     |
| Gordon S. Ziegler, Jr.     | Secretary      | 12 Hamilton Pl., Garden City, N.Y.          |
| John M. Godina             | Treasurer      | 158 Payne Whitney Lane, Manhasset, N.Y.     |
| Oren G. Clement            | Vice-Pres.     | 106 Huntington Rd. Garden City, N.Y.        |

EIGHTH: The aggregate number of shares which it has authority to issue, itemized by classes, par value of share, shares without par value, and series, if any, within a class, is:

| Number of<br>Shares | Class  | Series | Par Value per Share<br>or Statement that<br>Shares are without<br>Par Value |
|---------------------|--------|--------|-----------------------------------------------------------------------------|
| 50,000              | Common | None   | \$1.00 par value per<br>share                                               |



NINTH: The aggregate number of its issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class, is:

| <u>Number of Shares</u> | <u>Class</u> | <u>Series</u> | <u>Par Value per Share or Statement that Shares are without Par Value</u> |
|-------------------------|--------------|---------------|---------------------------------------------------------------------------|
| 45,000                  | Common       | None          | \$1.00 par value per share                                                |

TENTH: The amount of its stated capital is \$45,000.

ELEVENTH: An estimate of the value of all property to be owned by it for the following year, wherever located, is \$1,500,000.

TWELFTH: An estimate of the value of its property to be located within Utah during such year is \$500,000.

THIRTEENTH: An estimate of the gross amount of business to be transacted by it during such year is \$1,800,000.

FOURTEENTH: An estimate of the gross amount of business to be transacted by it at or from places of business in Utah during such year is \$1,150,000.

FIFTEENTH: This Application is accompanied by a copy of its articles of incorporation and all amendments thereto, duly authenticated by the proper officer of the state or country under the laws of which it is incorporated.

Dated April 4, 1962.

ZIEGLER CHEMICAL & MINERAL CORP.

EXACT CORPORATE NAME

By

PRESIDENT OR VICE-PRESIDENT

By

SECRETARY OR ASSISTANT SECRETARY

STATE OF NEW YORK

COUNTY OF New York

ss.

I, Gerald T. DiManno, a notary public, do hereby certify

that on this 4th day of April, 1962, personally appeared before me

~~Richard S. Ziegler~~ ~~Richard S. Ziegler~~, who, being by me first duly sworn, declared that ~~he~~ <sup>THEY are</sup> the ~~President & Secretary~~ of ZIEGLER CHEMICAL & MINERAL CORP.

<sup>THEY</sup> that ~~he~~ signed the foregoing document as ~~President & Secretary~~ of the corporation, and that the statements therein contained are true.

In witness whereof I have hereunto set my hand and seal this 4th day of April, A.D. 1962.

My commission expires 3/30/64

NOTARY PUBLIC

GERALD T. DIMANNO  
Notary Public for the State of New York  
No. 24-6036550  
Qualified in Kings County  
Certificate Filed in New York County  
Commission Expires March 30, 1964

GERALD T. DIMANNO  
Notary Public for the State of New York  
No. 24-6036550  
Qualified in Kings County  
Certificate Filed in New York County  
Commission Expires March 30, 1964



*State of Utah Copy*

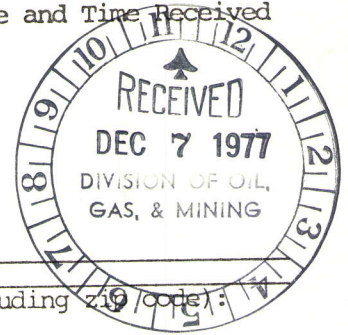
Serial Number

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Date and Time Received

APPLICATION FOR RIGHT-OF-WAY

INSTRUCTIONS: The use of this form is optional. If used, this application must be typed or printed plainly in ink. Submit application in triplicate to the Bureau of Land Management. Utah State Office, University Club Bldg., 136 East South Temple, Salt Lake City, Utah 84111.



1. Name of Applicant:

Ziegler Chemical & Mineral Corp.

2. Address (including ZIP Code):

P.O. Box 455  
Great Neck, New York 11021

3. The above-named applicant hereby applies for a right-of-way on public land pursuant to the regulations in 43 CFR Group 2800 and agrees that the right-of-way, if approved, will be subject to the terms and conditions contained in 43 CFR Group 2800. Applicant desires to obtain the benefits of (insert appropriate right-of-way authority from list below) R.S. 2477 (43 U.S.C. 932) and the primary purpose of the right-of-way is for a (indicate primary purpose right-of-way is to be used for) Mining & hauling of gilsonite.

- | RIGHT-OF-WAY AUTHORITY                                         | PRIMARY PURPOSE OF RIGHT-OF-WAY                                                                                                                       |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) R.S. 2477 (43 U.S.C. 932).....                             | Public Roads and Highways                                                                                                                             |
| (b) Act of March 3, 1875 (43 U.S.C. 934)...                    | Railroads and Railroad Station Grounds                                                                                                                |
| (c) Act of March 3, 1891 (43 U.S.C. 946)...                    | Irrigation Pipelines, Ditches, Canals, Laterals, Reservoirs, etc.                                                                                     |
| (d) Act of January 21, 1895 (43 U.S.C. 956)                    | Tramroads and Logging Roads                                                                                                                           |
| (e) Act of February 15, 1901 (43 U.S.C. 959).....              | Domestic Water Pipelines, Water Plant Sites, Telephone and Telegraph Lines, Electrical Distribution Lines, Electrical Generating Plants, etc.         |
| (f) Act of March 4, 1911 (43 U.S.C. 961)...                    | Electrical Transmission and Distribution Lines, Telephone and Telegraph Lines, Communication Sites, Radio and Television Sites, Microwave Sites, etc. |
| (g) Act of February 25, 1920 (30 U.S.C. 185).....              | Oil and Natural Gas Pipelines and Pumping Plant Sites, etc.                                                                                           |
| (h) Title 23 U.S.C. Secs. 107 and 317.....                     | Federal Aid Highways and Material Sites.                                                                                                              |
| (i) Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 524)..... | Through National Forests.                                                                                                                             |
| (j) Act of October 23, 1962 (76 Stat. 1129)                    | Easements on Real Property.                                                                                                                           |

4. Check Appropriate Block:

- (X) This is an application for a new right-of-way.
- ( ) This is an application to amend existing right-of-way, case file serial number \_\_\_\_\_.
- ( ) This is an application to renew existing right-of-way, case file serial number \_\_\_\_\_ which is due to expire on (give date) \_\_\_\_\_.

5. Have you utilized the proposed right-of-way prior to this application?

( ) Yes (X) No

If yes, indicate the date such use commenced, under what authority if any, and any other pertinent details:

6. Status of Applicant (check appropriate block):

- (a) (X) Corporation
- (b) ( ) Partnership
- (c) ( ) Individual
- (d) ( ) State or Local Governmental Agency or Instrumentality thereof



7. Have you enclosed the nonreturnable payment as required by 43 CFR 2802.1-2?

(X) Yes

( ) No

If length is less than 5 miles, payment is \$50 per mile or fraction thereof.

If length is 5 to 20 miles, payment is \$500.

If length is over 20 miles, payment is \$500 for each 20 miles or fraction thereof.

If application is for a site (e.g., communication, reservoir, plant or other non-linear facility) payment is \$250 for each 40 acres or fraction thereof.

(See 43 CFR 2802.1-2(a) (2) for exceptions).

8. CORPORATIONS ONLY: Corporations must furnish the showings listed below unless previously furnished. If showings were furnished with a previous right-of-way application, indicate the case file serial number CO-1093.

(a) Furnish a copy of corporation's charter or articles of incorporation, certified by the proper State official of the State where the corporation was originated.

(b) A corporation, other than a private corporation, should furnish a copy of the law under which it was formed and due proof of organization under the same.

(c) If not incorporated in the State where the proposed right-of-way is located, you must furnish a certificate of the proper State official showing that the corporation is entitled to operate in such State.

(d) Furnish a copy of the resolution or bylaws of the corporation authorizing the filing of this application.

9. INDIVIDUALS ONLY: Please check appropriate block.

(a) ( ) I am a native born citizen of the United States.

(b) ( ) I am a naturalized citizen of the United States.

If you check block "(b)", you must attach the information required in 43 CFR 2802.1-4(a).

10. PARTNERSHIPS AND ASSOCIATIONS ONLY: Partnerships or associations must furnish a certified copy of the articles of association. Please check appropriate block:

(a) ( ) Certified copy of articles of association is attached herewith.

(b) ( ) Furnished with previous right-of-way application, case file serial number \_\_\_\_\_.

(c) ( ) No articles of association exist.

If you checked block "(c)", this application must be made over the signature of each member, and each member must state whether he is a native born citizen of the United States. If any member is a naturalized citizen, he must furnish the information required in 43 CFR 2802.1-4(a). Attach statement of citizenship to this application.

11. Do you intend to utilize another party's existing structure or facility (i.e., power poles, building, highway right-of-way, etc.)?

( ) Yes

(X) No

If yes, you must attach proof that you have permission from such party.

12. RADIO, TELEVISION, MICROWAVE, AND COMMUNICATION FACILITIES ONLY:

(a) In order to determine whether the site is available for your proposed facilities, you must furnish herewith the relevant technical parameters of your proposed facilities. Technical data work sheet forms 2860-1 for this purpose are available upon request from the Utah State Office, Bureau of Land Management.

(b) If the site is determined to be available for your proposed facilities, you will be so notified. The actual right-of-way will not be granted until you have furnished a copy of your F.C.C. license or permit showing that your proposed facilities are authorized by the Federal Communications Commission. Such license or permit must be issued in the same name as indicated in item No. 1 of this application.

13. WATER FACILITIES ONLY: If the proposed right-of-way involves the storage, diversion, or conveyance of water, you must furnish herewith a statement of the proper State Official, or other evidence, showing your right to use the water. If no water right has been obtained, attach proof herewith that an application for water right has been filed with the proper State official.



**14. OIL AND NATURAL GAS PIPELINES ONLY:**

- (a) You must execute and furnish herewith the common carrier stipulation required by 43 CFR 2881.1. Forms for this purpose are available upon request from the Utah State Office, Bureau of Land Management (USO 2800-13). If you are excepted from the common carrier provisions, you must furnish such evidence herewith.
- (b) You must indicate the specific use to which the proposed pipeline is to be put:

**15. ELECTRICAL TRANSMISSION LINES, DISTRIBUTION LINES, AND GENERATING PLANTS ONLY:**

- The following information must be furnished herewith as required by 43 CFR 2851.1-1 and 2851.2-1. Forms for this purpose are available upon request from the Utah State Office, Bureau of Land Management (Circular No. 2326):
- (a) Describe the generating plant or connecting plants that will generate the power to be transmitted.
- (b) Describe the electrical transmission line or distribution line.
- (c) Furnish a detailed description of the environmental impact of the project.
- (d) If the transmission facility will have a voltage of 33 kilovolts or more, you must execute and furnish herewith the wheeling rights stipulation. Forms for this purpose are available upon request from the Utah State Office, Bureau of Land Management. (USO 2800-11).

**16. APPLICATIONS UNDER ACT OF MARCH 4, 1911 ONLY:** Any application under the Act of March 4, 1911 for a line right-of-way in excess of 100 feet in width or for a structure or facility right-of-way of over 10,000 square feet must be accompanied by a statement showing the reasons why the larger right-of-way is required. The right-of-way will not be granted in excess of such sizes in the absence of a satisfactory showing of a need therefor.

**17. RIGHT-OF-WAY MAPS:** Right-of-way maps, showing the survey and location of the proposed right-of-way, must be submitted with this application in accordance with the regulations in 43 CFR 2802.1-5(a) and the instructions listed below. The extent of rights granted will be based on the right-of-way maps submitted; therefore, the accuracy and completeness of the right-of-way maps cannot be over-emphasized:

- (a) A base map prepared on tracing linen, mylar, or on tracing paper must be furnished for each application, except for applications under Title 23 U.S.C. Sec. 317 and applications by communication site secondary users (Note: A secondary user of a communication site is defined as a right-of-way applicant that has permission to utilize space in or at an existing, authorized communication site facility of a primary user. In lieu of the original right-of-way map, the secondary user must submit a copy of the primary user's right-of-way map together with a subsequent applicant's certification. The certification forms are available upon request from the Utah State Office, Bureau of Land Management (USO 2800-12)).
- (b) Three permanent type print copies of the right-of-way map (five copies for electrical transmission or distribution lines) must be furnished with all applications. See USO General Information Booklet for filing applications for right-of-way, page 4 (USO 2800-14).
- (c) Map scale should be either 2,000, 1,000, or 500 feet to the inch depending on the type of development and amount of detail to be shown. An optional scale of 5,280 feet to the inch may be used for electrical transmission and distribution lines with nominal voltage less than 33 kv. In certain cases, scales as large as 1" = 100' may be required to accurately describe the desired right-of-way. In any case, the right-of-way survey must be shown in a manner to allow accurate location on the ground by a competent engineer or land surveyor.
- (d) Map must show the survey of the center line (traverse line for reservoirs) including courses and distances. The initial and terminal points of survey must be accurately connected by course and distance to the nearest corner of the public-land survey or to a permanent monument.
- (e) Map must show width of right-of-way and state total distance of right-of-way on Federal lands.
- (f) All 40-acre subdivisions of affected land must be shown and subdivisions, section, township, and range clearly marked.
- (g) Map must contain the statement of the engineer and certificate of the applicant as required by 43 CFR 2802.1-5(a)(7). For format see Forms 1 and 2 of Appendix B in 43 CFR Group 2800.
- (h) CANALS, DITCHES, OR LATERALS ONLY: The width of the high-water line must be indicated on map.



- (i) PIPELINES ONLY: The diameter of the pipeline must be indicated on map.
- (j) RESERVOIRS ONLY: Indicate the capacity of reservoir in acre-feet, the area within high-water line, the source of water supply, the location and height of dam, and total acreage on Federal lands.
- (k) COMMUNICATION FACILITIES AND PLANT SITES ONLY: Map must also contain a site layout drawing showing the location and extent of ground to be occupied by the proposed structures or facilities. The total area of the grounds must be indicated, and all existing or proposed buildings and structures must be platted and identified, including the purpose of each and their dimensions and relative positions. At least one of the structures must be connected by course and distance to the survey of the site. The site layout drawing must contain the statement of the engineer and certificate of the applicant as required by 43 CFR 2861.1(d). For format see Forms 3 and 4 of Appendix B of 43 CFR Group 2800.

18. Have you enclosed the right-of-way maps required in item No. 17 above?

(X) Yes

( ) No

If no, explain:

19. COMPLIANCE REPORT (TITLE VI, CIVIL RIGHTS ACT OF 1964): If you are not subject to payment of rental in accordance with 43 CFR 2802.1-7, you must execute and furnish herewith, Form 1140-5, Compliance Report. Forms are available upon request from the Utah State Office, Bureau of Land Management.

I certify that the information given in the application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

11/30/77  
(Date)

Ziegler Chemical & Mineral Corp.

John M. Godina, Sr.  
(Signature of Applicant or Authorized Official)

John M. Godina, Sr.

President

(Title of Authorized Official)

Sworn before me 11/30/77.

Brian Lynch

BRIAN LYNCH  
NOTARY PUBLIC, State of New York  
No. 30-4613944  
Qualified in Nassau County  
Commission Expires March 30, 1978